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09/597,198	06/20/2000	Jonathan C. Griffiths	US 000136	6017

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EXAMINER

GURSHMAN, GRIGORY

ART UNIT PAPER NUMBER

2132

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/597,198

Applicant(s)

GRIFFITHS, JONATHAN C.

Examiner

Grigory Gurshman

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's amendment of claim 17 reflects the limitation "first communication link and the second communication link are different types of links". This limitation is addressed in the rejections herein.
2. With respect to claims 1-17, Applicant argues that Hind is only concerned with communication over such a short range line like Bluetooth. Examiner agrees, but point out that Applicant's claims recite communication over short-range wireless, which does not distinguish Applicant's invention from Bluetooth system of Hint. Further more, the Bluetooth protocol is recited in claims 9. Thus Applicant' arguments that the independent claims 1, 13-14 and 17 are not anticipated by Hint are found not substantiated. The case anticipation has been established based on the fact that features of Hint read on features recited in the independent claims as stated in the previous Office Action and repeated herein. For example:
 3. In regards to claims 1, 13, 14, and 17, Hind discloses the Bluetooth standard for communicating between two selected devices and/or multiple selected devices (Hind: column 1, lines 50-54). Hind also teaches that in order for two devices to be paired with one another entry of the same sting called a "PIN" at each device is required (Hind: column 2, lines 51-67). This meets the limitation of "upon link set-up over a short-range wireless link, executing an authentication protocol by exchanging authentication

information between the first and second electronic devices to initially authenticate communication between the first and second devices.”

4. Hind teaches that the PIN is reused whenever communicating with the same partner (Hind: column 3, lines 25-26). This meets the limitation of “later, when the first and second electronic devices are beyond the short-range wireless link, executing the authentication protocol by exchanging the authentication information between the first and second electronic devices over an alternate communications link, then only allowing communication between the first and second devices if the first and second devices had initially been successfully authenticated.”

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,772,331 B1 to Hind.

7. In regards to claims 1, 13, 14, and 17, Hind discloses the Bluetooth standard for communicating between two selected devices and/or multiple selected devices (Hind:

column 1, lines 50-54). Hind also discloses that in order for two devices to be paired with one another entry of the same sting called a "PIN" at each device is required (Hind: column 2, lines 51-67). This meets the limitation of "upon link set-up over a short-range wireless link, executing an authentication protocol by exchanging authentication information between the first and second electronic devices to initially authenticate communication between the first and second devices."

8. Hind discloses that the PIN is reused whenever communicating with the same partner (Hind: column 3, lines 25-26). This meets the limitation of "later, when the first and second electronic devices are beyond the short-range wireless link, executing the authentication protocol by exchanging the authentication information between the first and second electronic devices over an alternate communications link, then only allowing communication between the first and second devices if the first and second devices had initially been successfully authenticated."

9. With regard to the independent claim 17, Hint teaches different types of communication links (see Fig. 1 A connections 1050 and 1030).

10. In regards to claims 2, and 3, Hind discloses a PIN (Hind: column 2, lines 60-61).

11. In regards to claims 4, 11-12 and 16, Hind discloses a wide-area or local area network (Hind: column 1, lines 34-37).

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12. In regards to claim 5, Hind discloses a cellular radio link (Hind: column 1, line 66).

13. In regards to claim 6 and 7, Hind discloses the devices are in the vicinity of the Bluetooth enabled device (Hind: column 1, lines 17-22, 55-67).

14. In regards to claims 8 and 9, Hind discloses Bluetooth (Hind: column 1, lines 38-54).

15. In regards to claims 10 and 15, Hind discloses the same PIN is entered by both users (Hind: column 2, line 62).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (571)272-3803. The examiner can normally be reached on 9 AM-5:30 PM.

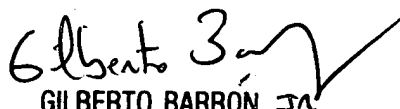
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571)272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GG



Grigory Gurshman
Examiner
Art Unit 2132



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